

09/868996

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re: US Patent Application 09/868,996 # 4
International Patent Application PCT/EP99/09950
Filed December 15, 1999
Title Fuel metering pump of a heating equipment, particularly
water or air heating equipment of a motor vehicle, with control equipment
Applicant Blaschke et al
Attorney Docket (E) 1689 PCT/US

Box PCT
Commissioner for Patents
Washington, DC 20231

Petition to Withdraw Holding of Abandonment

Dear Sir or Madam:

In response to the Notice of Abandonment mailed May 31, 2002 (copy enclosed), please note that response to the Notification of Missing Requirements mailed July 20, 2001 was timely filed.

Enclosed, please find a copy of the acknowledgement postcard showing receipt by the USPTO 9 January 2002, per 37 CFR 1.181. Also enclosed is a copy of the response.

Please remove the holding of abandonment and place the case in good standing.

Thank you in advance.

Respectfully submitted,

M. Robert Kestenbaum

M. Robert Kestenbaum
Reg. No. 20,430
11011 Bermuda Dunes NE
Albuquerque, NM USA 87111
Telephone (505) 323-0771
Facsimile (505) 323-0865

I hereby certify this correspondence is being deposited with the U.S Postal Service as a first class mail in an envelope with adequate postage addresses to Commissioner for Patents, Washington, D.C. 20231 on June 14, 2002.

M. Robert Kestenbaum



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
09/868,996		Walter Blaschke	(E) 1689 PCT/US

M. Robert Kestenbaum
11011 Bermuda Dunes NE
Albuquerque, NM 87111

CONFIRMATION NO. 6774

ABANDONMENT/TERMINATION
LETTER

OC000000008213180

Date Mailed: 05/31/2002

NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 07/20/2001.

- No reply was received.

A petition to the Commissioner under 37 CFR 1.137 may be filed requesting that the application be revived.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(l); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Any questions concerning petitions to revive should be directed to "Office of Petitions" at (703) 305-9282.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

COPY

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

(E) 1689 PCT/US

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR
09/868,996INTERNATIONAL APPLICATION NO.
PCT/EP99/09950INTERNATIONAL FILING DATE
12/15/1999PRIORITY DATE CLAIMED
12/22/1998

TITLE OF INVENTION

Fuel Metering pump of a heating equipment, particularly water or air heating equipment of a motor vehicle, with control equipment

APPLICANT(S) FOR DO/EO/US

Blaschke et al

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. ☐ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. 371 (c) (2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. ☐ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☐ A copy of the International Search Report (PCT/ISA/210).

Items 13 to 20 below concern document(s) or information included:

13. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☐ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A change of power of attorney and/or address letter.
19. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
20. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
21. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
22. ☐ Certificate of Mailing by Express Mail
23. ☒ Other items or information:

First Class Mail Certification

Copy of Notice to File Missing Requirements mailed 20 July 2001

Response to Notice of Defective Translation

ONE-MONTH EXTENSION REQUEST + FEE PAYMENT

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR 1.492)
09/868,996

INTERNATIONAL APPLICATION NO.
PCT/EP99/09950

ATTORNEY'S DOCKET NUMBER
(E) 1689 PCT/US

24. The following fees are submitted:

BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)) :

- ☐ Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$1040.00
- ☐ International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$890.00
- ☐ International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$740.00
- ☐ International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$710.00
- ☐ International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00

ENTER APPROPRIATE BASIC FEE AMOUNT =

Surcharge of \$130.00 for furnishing the oath or declaration later than ☐ 20 ☒ 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE
Total claims	- 20 =	0	x \$18.00
Independent claims	- 3 =	0	x \$84.00

Multiple Dependent Claims (check if applicable). ☐

TOTAL OF ABOVE CALCULATIONS =

☐ Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.

SUBTOTAL =

Processing fee of \$130.00 for furnishing the English translation later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).

TOTAL NATIONAL FEE =

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable). ☒

TOTAL FEES ENCLOSED =

06/20/2002 SHAJARRO 00000111 09868996

Amount to be:
refunded \$
charged \$

- a. ☒ \$170.00 in the amount of \$170.00 to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. _____ in the amount of _____ to cover the above fees. A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 11-0665. A duplicate copy of this sheet is enclosed.
- d. ☒ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

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M. Robert Kestenbaum
SIGNATURE

M. Robert Kestenbaum

NAME

20,430

REGISTRATION NUMBER

October 22, 2001

DATE

CERTIFICATE OF MAILING BY FIRST CLASS MAIL (37 CFR 1.8)

Applicant(s): Blaschke et al

Docket No.

(E) 1689 PCT/US

Serial No.

09/868,996

Filing Date

June 20, 2001

Examiner

Group Art Unit

Invention: Fuel Metering pump of a heating equipment, particularly water or air heating equipment of a motor vehicle, with control equipment

I hereby certify that this Response to NMR mailed 20 July 2001

(Identify type of correspondence)

is being deposited with the United States Postal Service as first class mail in an envelope addressed to: The

Assistant Commissioner for Patents, Washington, D.C. 20231 on

October 22, 2001

(Date)

Heidi M. Ortiz

(Typed or Printed Name of Person Mailing Correspondence)

(Signature of Person Mailing Correspondence)

Note: Each paper must have its own certificate of mailing.

Re: International Application PCT/EP99/09950
Filed December 15, 1999
US Patent Application 09/868,996
Applicant Blaschke et al
Attorney Docket (E) 1689 PCT/US

Response to Notification of Missing Requirements mailed July 20, 2001,
executed Inventors' Declaration, Assignment for recording, copy of
Notification of Missing Requirements, response to Notice of Defective
Translation, PTO-2038 authorizing credit card payment for Declaration
surcharge (\$130) and Recordation Fee (\$40) total = \$170, First-Class
Mail Certification October 22, 2001, one-month extension request and
PTO-2038 authorizing credit card payment for \$110, copy for deposit
account

MAILED & CERTIFIED
JC07 Rec'd PCT/PTO 09 JAN 2002 ON OCT 22 2001



The University of Portland Waldschmidt Hall

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